



LABOUR LAW:

EMERGING ISSUES IN LABOUR LAW PRACTICE

COURSE MATERIALS

Michael D. Wright & Henry Y. Dinsdale

University of Toronto
Faculty of Law
Spring 1997
Thursdays 6:10-8:00

AYH-9505

CORA LASKIN LAW LIBRARY


JAN 16 1996

FACULTY OF LAW
UNIVERSITY OF TORONTO

**LABOUR LAW:
EMERGING ISSUES IN LABOUR LAW PRACTICE
COURSE MATERIALS**

Michael D. Wright & Henry Y. Dinsdale

**University of Toronto
Faculty of Law
Spring 1997
Thursdays 6:10-8:00**



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

<https://archive.org/details/labourlawemergin00wrig>

Emerging Issues in Labour Law Practice

I. Overview of the Course/ Reintroduction to Labour Law (January 16)

George Adams, "Towards a New Vitality: Reflections on 20 Years of Collective Bargaining Regulation" (1991), 23 Ottawa Law Review 139

II. Certification (January 23 and 30)

City of Toronto, [1996] O.L.R.D. No. 2480

Paul Weiler, "Promises to Keep: Securing Workers' Rights to Self-Organization Under the NLRA" (1983), 96 Harvard Law Review 1769

Craig Becker, "Democracy in the Workplace: Union Representation Elections and Federal Labor Law" (1993), 77 Minnesota Law Review 495

III. The Relationship Between Employer Flexibility and Union and Employee Security (February 6 and 13)

(i) The Employer Interest in Outsourcing

Bennett Harrison and Maryellen R. Kelley, "Outsourcing and the Search for 'Flexibility'" (1993), 7 Work, Employment & Society 213

John O'Grady, "Job Control Unionism vs. The New Human Resources Management Model: The Impact of Industrial Relations Factors on Changes in Work Organization in Manufacturing and Related Industries", Human Resources Management Project, University of Ottawa, Economic Projects (March 1994)

Richard Epstein, "In Defense of the Contract at Will" (1984), 51 The University of Chicago Law Review 947

"Does Change Hurt", Editorial, The Globe and Mail, October 26, 1996

(ii) The Union Interest in Job Security

James K.A. Hayes and Michael D. Wright, "Contracting Out at Arbitration: A Union Perspective", (1995) Labour Arbitration Yearbook 373

IV. Employee and/or Union Participation and Involvement

(February 27, March 6 and 13)

(i) The Interests of the Parties in Employee/Union Involvement

Donald Wells, "Are Strong Unions Compatible with the New Model of Human Resource Management?" (1993), 48 Relations Industrielles 56

Pradeep Kumar, "Canadian Labour's Response to Work Reorganization", Working Paper Series, School of Industrial Relations, Queen's University (1993)

Canadian Autoworkers Union (CAW), "Statement on the Reorganization of Work"

United Steelworkers of America (USWA), "Guidelines for Participation in Work Reorganization"

CEP Policy on Workplace Reorganization, "New Directions"

Mark Barenberg, "Democracy and Domination in the Law of Workplace Cooperation: From Bureaucratic to Flexible Production" (1994), 94 Columbia Law Review 758

(ii) Practical Applications of Employee/Union Participation

Excerpts from International Association of Machinists and Aerospace Workers High Performance Work Organization Partnerships Field Manual

(iii) The Legal Regime with respect to Direct Employer-Employee Relations

C.A.W. v. C.N.R., Decision No. 1154, Canada Labour Relations Board, March 22, 1996

Canadian Union of Public Employees v. Canadian Broadcasting Corporation (1994), 27 C.L.R.B.R. (2d) 110 (C.L.R.B.)

Saskatoon (City) Police Commissioners v. Saskatoon (City) Police Assoc. (1993), 94 C.L.L.C. 16,037

Michael L. Stokes, "Quality Circles or Company Unions? A Look at Employee Involvement After *Electromation* and *DuPont*" (1994), 55 Ohio State Law Journal 897

V. Government Intervention in Employer and Union Economic Conflict: Striker Replacements (March 20 and 27)

Seeking A Balance (Canada Labour Code Review, Chair: Andrew Sims, Q.C.), 1995

Excerpts from the Submission of the Canadian Chamber of Commerce Concerning the Proposed Ban on Replacement Workers in the Federal Sector, April 1995

VI. Current and Future Models of Union Representation in the Evolving Economy (April 3 and April 10)

Jeremy Rifkin, The End of Work (New York: G.P. Putnam's Sons, 1995).

Richard J. Charney and Henry Y. Dinsdale, "Damage Awards in Ontario Jurisdictional Disputes - An Important New Ruling Takes the Board Half the Distance" (1995), 3 C.C.E.L.J. 487

Harry J. Glasbeek, "Agenda for Canadian Labour Law Reform: A Little Liberal Law, Much More Democratic Socialist Politics" (1993), 31 Osgoode Hall Law Journal 233

Further articles and readings may be provided later in the course

